

## SPB FREEZES Eligible Lists

At a public hearing held on July 7, 1999, the five-member State Personnel Board considered findings by Board staff that 16 eligible lists created by the Department of General Services were not established in compliance with applicable law and regulations. At issue in the hearing were the provisions of Article VII, Section 1(b) of the State Constitution, Government Code Section 18930 and Board Rule 198 that require that examinations be competitive and appointments be made under a general system based on merit.

The lists were created by the department using a process where anyone meeting the minimum qualifications for entrance into the examination was assigned the same singular score. Consequently, these processes did not provide for the required comparative rating of competitor's qualifications. Impacted by the Board's decision were approximately 150 appointments which had been made from the 16 eligible lists and over 1500 eligibles whose names remain on these lists. After hearing from Board staff, the Department and impacted employees, the five-member Board adopted a resolution, which mandates:

- That the existing lists will be frozen to permanent appointments.
- That permanent appointments that have been made prior to the freezing of eligible lists will be allowed to stand.
- That individuals on the current lists that were offered and accepted appointments before the lists were frozen and had those appointments rescinded may file appeals with the Board.

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Public Service Recognition Week Celebration

## Careers and Kudos!

Recognition and Opportunity. Those two words sum up the State Personnel Board's Public Service Celebration and Job Fair held on the East grounds of the State Capitol on May 4<sup>th</sup>. Over 50 government agencies participated at the local, state and federal level, and attendees were estimated at about 3,000 individuals.

Public Service Recognition Week has been celebrated (during the first week of May) on a national level since 1985, but never to this extent in Sacramento. State Personnel Board Executive Officer, Walter Vaughn, explains the dual purpose of the event: "It was an opportunity to recognize the extraordinary men and women who embrace both the responsibilities of public service and the opportunities it offers to improve the quality of

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life for all Californians. The job fair was an open invitation for all job seekers to explore the wide range of employment opportunities available within the public sector.”

During a lunchtime rally, Master of Ceremonies, Assemblyman Darrell Steinberg, gave praise to public employees and presented a Resolution from Lieutenant Governor Cruz Bustamante. A letter of acknowledgement from President Pro Tem of the Senate, John Burton, was also presented, as well as ACR 19 by Assemblymember Wally Knox (presented by Willie L. Pelote, Legislative Advocate for American Federation of State, County and Municipal Employees). Participants also heard from Assemblyman Roderick Wright, Senator Deborah Ortiz, State and Consumer Services Agency Secretary, Aileen Adams, Perry Kenny, President of the California State Employees Association and Don Novey, President of the California Correctional Peace Officers Association.

Musical entertainment was performed by the Quail Glen Elementary 4<sup>th</sup> and 5<sup>th</sup> Grade Choir, the T.R. Smedberg Middle School Jazz Band and the Granite Bay High School a capella Choir.

The State Personnel Board received overwhelming support for the May 4<sup>th</sup> celebration with co-sponsorships from *Golden One Credit Union, Correctional Peace Officers Association, Professional Engineers in California Government, California State Employees Association, California Highway Patrol, Department of General Services, CalPERS, Department of Developmental Services, California Lottery and Sacramento Municipal Utility District.*

The formal resolutions from the Governor, Lieutenant Governor, Senate, and Assembly can be viewed at our website:

[www.spb.ca.gov/svcgen/psrw.htm](http://www.spb.ca.gov/svcgen/psrw.htm). ❖



SPB Lobby Construction

## LOBBY REJUVENATION!!

Everything old is new again. SPB's Service Center, located to the left of the elevators in the SPB lobby and one of the most popular places in town to stop in and do a little job searching, is getting a major renovation. The new Service Center will offer 14 computer terminals and 8 print stations arrayed within a new modular landscape. A new room is under construction that will provide greater public access in a more modern ergonomic setting. This will change the look and feel of the entire lobby area. No longer will the workstations be as apparent (stuck in the middle of the room is another way to say it). The new room will be easy on the eyes, inviting to the job seeker, comfortable, accessible, and staffed with the same helpful people who make a visit to the Service Center a customer friendly experience. The job started on June 1 and will be completed around July 15. Stop by after that date and check it out. We think you'll like what you see. ❖

### Merit Based Examinations Continued from Page 1

- That participation in examinations for replacement lists will be limited to those eligibles remaining on the frozen lists unless Board staff approves expansion of the candidate pool to meet recruitment needs.
- That Board staff will audit all exams administered by the Department for the past two years.
- That Board staff review and approve all examination plans proposed by the Department for the next two years.
- Rescission of the Department's decentralized testing authority for a period of two years.
- That Board staff review delegation of all major examinations to determine whether continued delegation or decentralization of such examinations is appropriate.

If you have questions regarding specific aspects of the Board's decision or the potential implication upon your department's selection processes, you may contact Martha Esmael, Quality Assurance Unit, at (916) 654-5815 or TDD (916) 653-1498. ❖

## TWO NEW BOARD MEMBERS

Governor Davis recently appointed two new members to the State Personnel Board, William Elkins (appointed February 1999) and Sean Harrigan (appointed June 1999).

Elkins, of Los Angeles, served as special assistant and deputy mayor to Mayor Tom Bradley from 1973 to 1993. Since 1973, he has served as Program Officer and Vice President for the Board of Directors of the Columbia Charitable Foundation. He holds a Bachelor of Arts degree from the University of California, Los Angeles, and a Bachelor of Laws degree from Southwestern University of Law.

Harrigan, of Anaheim, has been the regional director and international vice president of the Food and Commercial Workers International Union (UFCW), Region 8, since 1994. Previously, he was president and labor organizer of UFCW Local 1439. Harrigan earned a Bachelor of Arts degree in Economics from Whitman College in Washington. ❖



William Elkins



Sean Harrigan



## A DIRECTOR'S DIRECTORY

Just about everything a new department director needs to know about the civil service system is summarized in the State Personnel Board's *A Director's Guide to Civil Service*. The booklet, just published in June, will help new directors navigate the often-complicated world of human resources.

The 12-page guide covers a variety of topics, including Exempt Appointments, Career Executive Assignments, Classification, Adverse Action, Appeals, Affirmative Action, Training and Personal Service Contracts. Agency directors can expect to receive their copy by the end of July, or may access it today at:

<http://www.spb.ca.gov/spbabt/reports.htm> ❖

## **INNOVATIVE ANSWERS FOR YOUR PROBLEM AREAS!**

Government Code Sections 19600 through 19607 authorize the State Personnel Board to initiate “demonstration projects” that are designed to determine whether a change in personnel management policies or procedures would result in improved state personnel management. This authority permits the Board to temporarily waive, for up to five years, existing law and rules to experiment with new techniques. At the end of the five-year period, the temporary system is either institutionalized or reverts back to the previous system.

The following topics may be covered in a demonstration project: the methods of classifying positions and compensating employees; assigning, reassigning, or promoting employees; disciplining employees; providing incentives to employees, including the provision of group or individual incentive bonuses or pay; involving employee, labor organizations in personnel decisions; reducing overall agency staff and grade levels; and the hours of work per day or per week.

To determine if a demonstration project would benefit your particular department, you need to identify the problem or what you would like changed to improve the personnel management policies or procedures of your department. Once the problem has been identified, the root cause of the problem needs to be identified. The next step is to research and brainstorm alternative merit based solutions to address the cause and resolve the problem and identify any barriers to implementation. Sometimes alternative merit based statutes or rules are needed to implement

an alternative and a demonstration project is warranted. Oftentimes it is perceived that whatever it is that you want to do is prohibited by some law or rule, when in fact it really is a policy, procedure, or process that has been established for a long time, and can be changed.

Once a problem is identified, a team should be put together to determine the cause of the problem and what needs to be done to solve it. A good working team typically consists of someone from the department personnel office, examining unit, classification and pay unit, line staff of the unit with the problem, Board Civil Service Reform Unit, Department of Personnel Administration departmental analyst, and the represented union.

Staff of the Board’s Civil Service Reform Unit is available to work with departments to help identify personnel problem areas, share information on what is happening with other current demonstration projects, and to help create innovative answers for your problem areas. For further information, please contact Carol Ong at (916) 653-1397 or Cong@spb.ca.gov. ❖



### **INTRODUCING SPB’S NEW APPEALS DIVISION CHIEF!**

The new Appeals Division Chief, Armand R. Burrue, arrived at the State Personnel Board on February 1, 1999. Mr. Burrue is completing his 25<sup>th</sup> year in state service, having worked most recently as the Assistant Deputy Director-Human Resources Development in the Department of Corrections. He has also enjoyed working with the Departments of Developmental Services, Youth Authority, and Social Services. He has over 18 years experience in supervising and managing the human resource areas of labor-management relations, training development and delivery, personnel classification and pay, recruitment and examinations, health and safety, adverse personnel actions, and third-party dispute resolution. His immediate objectives for the Appeals Division are to improve the Appeals Division business processes, customer services and response time, establish performance standards, and improve the information technology applications. He can be reached at (916) 653-0544 or aburrue@spb.ca.gov. ❖



## State Personnel Board's 1999 Selection Conference

On April 9, 1999, the State Personnel Board's Selection Conference *"Investing in the Future....Dividends of Sound Selection Practices"* came to a close. The conference was very well received by participants with many helpful suggestions for the next conference. The keynote speakers and workshop presenters offered many innovative suggestions for participants to consider and take back to their departments for future selection options.

Our welcoming remarks were given by Walter Vaughn, Executive Officer, State Personnel Board. He indicated that *"Investing in the Future"* to him meant investing in people, and that sound selection practices are crucial to understanding the changing demographics and expectations of our work force. Thanks so much Walter for those thoughts and wise words to help us move into the 21<sup>st</sup> century. Selection awareness will play a major role in selecting the most competent employees for the State of California.

Thanks to all participants for attending and taking the time to complete the evaluation forms which will be utilized to plan for the next conference. If you were unable to submit your evaluation form at the conference and would still like to give us feedback, please contact Donna Perez at either (916) 653-0890, Calnet 453-0890 or e-mail [dperez@spb.ca.gov](mailto:dperez@spb.ca.gov). ❖

## SUCCESS CONTINUES FOR THE STATE EMPLOYEE MEDIATION PROGRAM

The State Employee Mediation Program (SEMP) is closing out its third year with an impressive record of success. More than 25 state departments have shown interest in the program either by becoming active participants in the SEMP or by referring cases to the program by special arrangement.

To date, SEMP has mediated over 100 cases with 97% of those cases resolving with written settlement agreements. SEMP has proven itself to be a cost-effective and efficient service alternative for resolving otherwise costly workplace disputes. Oftentimes, disputes referred to and settled through the program would otherwise have resulted in worker's compensation claims, adverse actions, Equal Employment Opportunity (EEO) investigations, employment discrimination complaints, merit issue appeals, or protracted litigation in multiple forums. While these disputes often drag on through the administrative and judicial processes for months or even years, in most cases, a mediation can be scheduled to occur within 30 days of intake. Users of SEMP, including referring departments and participating disputants, give the program high ratings for its ability to resolve workplace disputes in a non-adversarial, confidential and timely manner.

SPB has tentative plans for another volunteer mediator training in the Fall. Departments who wish to take advantage of this program are asked to identify employees in their department who would make good mediators, to release those mediators to be trained and to mediate disputes in other departments from time to time. In exchange, those departments may refer cases to the program. Costs of travel and per diem, if any, are borne by the referring department.

Those departments interested in participating in SEMP should contact SPB Chief Counsel, Elise S. Rose at (916) 653.1403 or e-mail: [erose@spb.ca.gov](mailto:erose@spb.ca.gov) for more information about the program and to be included on a mailing list to receive notices of upcoming training and other events. ❖

# What's New on the

## SPB Web

### NEW TRANSFER CALCULATOR!

You may have already found the new Transfer Calculator on the VPOS section of our website. We've been somewhat reluctant to program this system because of all of the complexities of transfer determinations, but demand won out. The classes included in the Calculator are all either base salary range or have Payscale Footnote 91, which is the official indicator that an alternate range is transferable, so we feel better about the accuracy. Also, thanks to CalTrans for contributing the clause about only using the class of last list appointment for transfer determination. If there are any other suggestions for improving the Transfer Calculator, let us know.

### SPB at the Government Technology Conference

Thanks to everyone who visited our booth at the Government Technology Conference. This was our first year there, and we had a chance to talk to many of our clients regarding our website. We also saw a whole lot of people we haven't seen for years. We'll do it again next year.

### REVAMPING VPOS!!!

We're still working with the Ad-Hoc Personnel Officers group on the revamp of the Vacancy Database System (VPOS). We're looking to make a number of improvements:

- Real-time entry, change and delete
- Web based output
- Correct pay listings
- Multiple class listings for interchangeable classes
- Ability to override the pay listing for accurate hiring pay rates
- Pointer to department's web advertisement
- Much more

It's going a little slower than we planned because of the State's efforts in Y2K, but we'll get it done, hopefully soon.

### HR WEBMASTER'S GROUP!

At the SPB Selection Conference, Jim Pearce (SPB), Judy O'Day (FTB), and Suzi Watson (CalTrans) gave a joint presentation on use of the Internet for internal departmental HR information (Intranet). We were all excited about the development of HR Intranets, but most Intranets are closed systems available only to department staff, so there is no ability to share ideas or documents. This problem led to the creation of an HR Web Group and an invitation to meet in April to discuss the need for such a group. Ten departments attended, including DPA and SPB and agreed to pursue development of the HR Web Group.

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## Welcome a'Board!

Janet Crocker, Consultation Services Team, 1/99  
Christine Sullivan, Consultation Services Team, 1/99  
Mare Tennison, Examination Services Team 3/99  
Shaynie Westner, Examination Services Team 4/99  
Erika Zamora joined the Appeals Division 4/99  
Bruce Monfross, Chief Counsel's Office 4/99  
Loredana Gosselin, Chief Counsel's Office 4/99  
Sonja Richards, Examination Services Team 5/99  
Judy Callahan, Appeals Division, 6/99  
Christina Perez, PRIDE division 6/99  
Mary Horst, Appeals Division 6/99  
Mona Dean, Executive Office 7/99

### Retired:

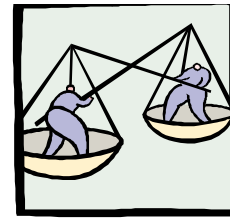
Kathy Smith 2/99  
Jose Alvarez 5/99  
Marion Rutkauskas 4/99

### Transferred:

Paul Kramer, Attorney, transferred to Rehab 1/99  
Brandy Spencer, PRIDE, transferred to Health 1/99  
Laura Baumann, PRIDE, transferred to Board of Control 2/99  
Dennis Link, Appeals, transferred to General Services 3/99  
Kerrie DeLaCruz-Peterson PRIDE, transferred to Dept. Of Information Technology 5/99  
Shari Pell-Stocki, PRIDE, transferred to Health Services 7/99  
Susan Takeda, PRIDE, transferred to the Private sector. 7/99

*Good Bye!  
Good Luck!  
you'll be missed!*

## **Board Precedential Decisions**



### **SPB Dec. No. 99-01**

Appellant received a 30 working days suspension from the position of Offset Press Assistant with the Department of General Services, based upon allegations that he attempted to steal two packages of state paper towels from the job site, and lied to security officers when questioned about the matter. Appellant contended he should not be disciplined, as other employees had taken items such as state paper towels for personal use without being disciplined. He further argued that he did not misuse state property, because he never actually had the chance to use the paper towels for personal use, and that the penalty should be reduced because a number of the charges filed against him had been dismissed.

The Board determined that appellant engaged in dishonesty by knowingly misrepresenting the contents of his laundry bag when questioned by security officers during a random search. The Board also determined that attempted theft constitutes a misuse of state property, even though had appellant asked he might have been granted permission to use the towels to clean up antifreeze that had spilled in his car, and even though he never actually used the towels. The Board also found that appellant's actions constituted willful disobedience and other failure of good behavior. Finally, the Board determined that a penalty will not be reduced simply because a number of charges are dismissed by the Board, so long as the remaining charges justify the penalty.

### **SPB Dec. No. 99-03**

Appellant was dismissed from his position as an Employment Program Representative with the Employment Development Department (EDD) for making repeated offensive and unwelcome sexual comments to a co-worker. Appellant was not served with a copy of the Investigative Report EDD relied upon when reaching its decision to discharge appellant and, as a result, appellant contended his due process rights had been violated.

This decision determines that appellant's actions were sufficiently severe and pervasive to constitute sexual harassment. The Board further determined that appellant's Skelly rights were violated based upon EDD's failure to provide a copy of the Investigative Report as part of the Skelly package. EDD had delegated review of the Investigative Report to a Staff Counsel who prepared the notice of adverse action based upon witness statements included in the report.

While the ultimate decision-maker did not personally review the Investigative Report, EDD clearly relied upon it when reaching its decision to discharge appellant. "An ultimate decision maker may not effectively divest an appointing authority of its Skelly obligation to provide an employee who is being disciplined 'all the materials upon which the action is based' merely by delegating review of those materials to a staff person." (SPB Dec. No. 99-03 at p. 15.) Consequently, appellant was entitled to receive a copy of the report as part of his Skelly package, and is entitled to an award of back pay.

### **SPB Dec. No. 99-05**

The Board had previously revoked the decision of the Department of Corrections (CDC) to dismiss appellant from his position as a Correctional Administrator, and ordered appellant reinstated with back pay. After being so ordered, CDC asserted appellant was obligated to mitigate his damages during the period he was off work by attempting to find alternate employment, and his assertion that he was not able to obtain alternate employment for much of the time period due to his on-going litigation problems precluded an award of back pay, as appellant was not ready, willing, and able to work during much of that time period.

This decision determines that an employee is not required to seek employment that is not comparable to the position from which he was terminated. Appellant did not fail to mitigate merely by refusing to seek entry level positions that paid substantially less than he had been earning, and CDC failed to meet its burden of establishing that substantially similar or comparable employment opportunities were available to appellant. In addition, because CDC failed to establish that comparable work would have been available to appellant, it is immaterial that appellant did not actively seek alternate employment for much of the time period in question. Consequently, appellant was entitled to an award of back pay between the time he was dismissed and the time he was reinstated, less any sum he actually earned during that time period.

**SPB's Precedential Decisions are available  
(and word-searchable) at this web site address:  
<http://www.spb.ca.gov/spblaw/preced.htm>**

**Note: These decisions may be subject to petition for rehearing before the Board and/or review by petition for writ of mandate in superior court. Currently, these and other decisions are available by subscribing to Continuing Education of the Bar (CEB) in Berkeley, once they are final. For more information call CEB at: 1-800-924-3924.**



*HR Webmaster's Group Continued from Page 6*

Meetings will generally be held once a month on a Tuesday morning at one of the participating departments so that we can look at different Intranets. We will also discuss general HR Internet issues, have technical presentations, and make member web expertise available to the other members.

The May meeting was an invitation to FTB's presentation to their staff on their Intranet. We did not have a meeting in June since many of the participants said it would be a busy month, but we'll start again in July.

Since we only advertised the meeting at the Selection Conference, many departments didn't know about it. We'd like to keep the size of the Group down to one or two attendees from any one department (the HR person and the techie, if there is one). You can read more, and sign up, on the SPB website at [www.spb.ca.gov/hrweb.htm](http://www.spb.ca.gov/hrweb.htm).

Unofficial minutes of the first meeting along with most of the participant's names are available off the HRweb sign-up page, and we will be posting announcements there. ❖

## SPB SUES TO ENFORCE THE CONSTITUTION THE LITIGATION CONTINUES

As reported in the January 1999 edition of Shared Solutions, SPB filed suit challenging provisions of the Bargaining Unit 8 (Firefighters) MOU that provide for appeals from adverse actions to be heard by private arbitrators rather than by the SPB, as required by the California Constitution. In February, 1999, Judge Ronald Robie of the Sacramento Superior Court decided not to reach the issue of whether the MOU violated the Constitution, ruling instead that the SPB did not have "standing" to raise this claim, since no affected employee had yet challenged the MOU. The SPB has appealed this ruling to the Third District Court of Appeal.

In a separate lawsuit, the Association of California Attorneys and Administrative Law Judges (ACSA) has also attacked the Unit 8 MOU discipline process. Since disciplinary appeals by employees in the state civil service have always been heard by civil service administrative law judges employed by the SPB, the suit argues that the use of private arbitrators under the MOU to hear these appeals violates the mandate of Article VII of the California Constitution against "contracting out" of work that could be performed by civil service employees. After a hearing on May 28, 1999, Sacramento Superior Court Judge Lloyd Connelly took the matter under submission to consider the arguments of the parties. A ruling is expected by the end of the summer. ❖

# LEAPing



# Good News!

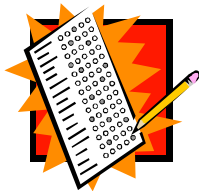
The State Personnel Board (SPB) has recently released lists for five Limited Examination Appointment Program (LEAP) examinations. LEAP candidate lists for Building Maintenance Worker, Carpenter I, Groundskeeper, Painter I and Maintenance Mechanic are now available.

Additional LEAP examinations were held mid-June 1999. These examinations include Electronics Technician, Information Systems Technician, Programmer I and Computer Operator. The appropriate lists for these exams are set to be released in July 1999. The Staff Services Management Auditor list will follow soon after.

Future LEAP examinations are currently being planned. Look for upcoming LEAP exams for the Account Clerk II, Janitor, Office Assistant (General and Typing), Program Technician, Research Analyst and Word Processing Technician. Bulletins for these LEAP examinations are expected to be released in the state fiscal year 1999/2000. Be sure to watch for upcoming examinations on **SPB's web site** <http://www.spb.ca.gov>.

SPB invites State of California departments to utilize the LEAP program. LEAP lists provide departments an excellent source of prospective candidates. For questions concerning current or upcoming LEAP examinations, please contact James Likes at (916) 653-1163 or via the Internet at [jl原因@spb.ca.gov](mailto:jl原因@spb.ca.gov). ❖

# Technically Training



The Technical Training Program (TTP) is offering the Selection Analyst Training Program (Fall 1999 edition) beginning with the "Overview of Selection Principles & Systems" class on September 30, 1999. We have done some "fine tuning" to the Program by replacing the previously required "Chairing Interview Examinations" and "Final Practicum" classes with the "Statistics Made Easy for Personnel Selection" and "Scoring Models" classes. These changes will provide for a more comprehensive and improved curriculum for the Selection Analyst Training Program. Now is the time to register for this Fall's classes.

A new class being presented by TTP this fall is "Developing and Using Low-Fidelity Simulation Exams." "Developing and Using Low-Fidelity Simulation Exams" is about an exciting new assessment technique and its uses in personnel selection. A Low-Fidelity Simulation examination consists of an array of written multiple-choice situational questions. Each question is a written description of a hypothetical work situation which asks the candidates to indicate how they would deal with the situation. A weighted response scoring system is used to score each hypothetical situation. This half-day class introduces participants to the design and use of this cutting edge selection processes. Through the use of hands-on activities and discussions, participants will learn the proper usage of this type of assessment technique. "Developing and Using Low-Fidelity Simulation Exams" is offered on October 18, 1999, 8:30 a.m. to 12:15 p.m.

In addition to the hardcopy of the *Schedule of Classes* for July 1, 1999 – June 30, 2000, and our Web site at <http://www.spb.ca.gov/spbtrain/>, you can keep apprised of SPB activities, including TTP classes, at the SPB Outreach Events Calendar Web site at <http://exams.spb.ca.gov/spbcal.htm>.

Your suggestions and comments regarding the TTP are always welcome. To let us know how we can best meet your training needs, contact Bill Groome at (916) 653-1597 or Dema Pedretti at (916) 653-2085, TDD (916) 654-6336, Profs TS1A(PBWRG) or at our E-mail address [ttp@spb.ca.gov](mailto:ttp@spb.ca.gov).

To register for upcoming classes please complete an SPB-46 Program Registration form. The form is downloadable on the web site in both Microsoft Word format and Adobe Acrobat format or call us and we will FAX a blank form to you. FAX your completed Program Registration form to (916) 657-2502. We look forward to seeing you soon. ❖

## Know anyone who needs a Job?



Tell them about SPB's Lunchtime seminars!  
Essential information to update those  
job search skills!

**"How to Get a State Job, Read an Exam  
Bulletin & Complete a State Application"**

**"How to Prepare A Resume"**

**"How to Prepare for an Interview"**

Fridays Noon to 1:00

\$5.00 materials fee

For more information contact 653-1502.

## Congratulations to ALL the NEW Certified Selection Analysts!!!

At the May 5, 1999, meeting of the State Personnel Board, the Spring 1999, graduates of the Selection Analyst Training Program received their plaques and certificates awarding them the title "Certified Selection Analyst." The new graduates are: Paul Horvat, Darci Fitzgerald, Lynn Snow, Charles Adams III, Teresa Green, Sondra Betancourt, Charlene L. Harris, Lee Slape, Margie Yee Christiansen, Jane Richmond, Susan Jackson, Bev Bair, Holly Blair, Debi Brannon, Helen Estioko, Alicia Grant, Bill Kilgore, Pennie Shanks, Jennifer Spurling, and Frieda Zachary. ❖



## KEEPING ON-LINE...IN-LINE!

SPB's On-Line Consultation and Training and Data Processing Support Services Teams are pleased to report that we just concluded yet another successful round of meetings. These meetings help us achieve our goal: to provide our customers with the most efficient and effective selection system and customer service possible. These meetings provide us with the opportunity to meet personally with our customers and together determine how the on-line system can continue to meet everyone's needs.

This last round of meetings generated several worthwhile suggestions - two of which will be implemented in July of this year. The first pertains to the IC (Online Informal Cert). The suggestion was to modify the IC to parallel the R1 (Regular Cert Request). That is, the user will need only enter the "tested" language proficiency code to yield an informal cert that identifies the eligibles' names and their respective "claims" or "tested" proficiency code. This enhancement will not only save you time but provide you with more accurate cert information.

The second suggestion is two-fold and concerns cert clearance notices generated from clearing open lists. First, it was suggested that inactive notices include information regarding the current number of chargeable waivers contained in the affected eligible's record. Second, begin generating a notice of "List Clearance Action" when an eligible is cleared from a cert list using an "Active Waiver" clearance code. These changes will benefit open list eligibles by providing more clear and concise information regarding their list eligibility. It should also reduce the number of calls departments receive concerning the three waiver rule that applies to open list eligibles. Stay tuned to ROPES and PROFS for more details regarding these changes.

**On-Line Exam Training - Beginners Class** -is geared toward individuals new to the on-line exam system.

*Aug. 2-6 / Oct. 18-22 / Dec. 6-10, 1999*

**On-Line Exam Enhancement Training** -is designed to keep participants up-to-date on system enhancements and share solutions to some more difficult examination issues.

NOTE: Participants are asked to bring their on-line exam manuals. *Aug. 11, 1999, Nov. 18, 1999*

**Basic On-Line Cert Training** -is designed for individuals who have the responsibility to order and clear certifications AND who are familiar with the laws and rules of certification. The objective of this class is to teach participants how to use the on-line system to document list clearance transactions and how to use the on-line reports available to them. *Aug. 18-20 / Oct. 6 - 8 / Nov3 - 5, 1999*

### **On-Line Cert Enhancement Training**

This hands-on class is designed to keep participants up-to-date on system enhancements and to share solutions to some of the more difficult certification issues.

*Aug. 25, 1999 / Oct. 27, 1999*

For more information, contact the On-Line Training Coordinator, Katharine Cortenbach at 653-1517, or via e-mail [kcortenbach@spb.ca.gov](mailto:kcortenbach@spb.ca.gov). ❖

The next meetings will be conducted in Spring of 2000. If your department is interested in hosting the next San Francisco or Southern California meeting, please let us know. Look for specific dates, times and locations in subsequent issues of Shared Solutions. Meetings are also announced via the on-line system (ROPES message reports) and via PROFS.

Please feel free to direct any suggestions, comments, or questions concerning the on-line system or on-line meetings to Scott Crouch at (916) 653-0567, Calnet 453-0567, e-mail [scrouch@spb.ca.gov](mailto:scrouch@spb.ca.gov) or via PROFS at TS1A(PBSAC), or Gina McCann at (916) 653-1345, Calnet 453-1345, or e-mail at [gmcann@spb.ca.gov](mailto:gmcann@spb.ca.gov) ❖

## ADA Redefined

The U.S. Supreme Court, in a June 22 decision, redefined who is disabled and who is not under the terms of the Americans with Disabilities Act (ADA).

A solid court majority of seven justices ruled against four different workers who had sued claiming discrimination under ADA because they'd either been fired or denied jobs due to their physical conditions. Two of the plaintiffs were commercial airline pilots with severe nearsightedness, a third was a truck driver blind in one eye and the fourth was a mechanic with hypertension. All of these conditions had been corrected or controlled with medication or medical devices.

In three decisions addressing this issue, the court ruled that, in light of the corrective measures, the plaintiffs were not substantially limited in any major life activity, and therefore not "disabled" under the ADA. Therefore, they were not protected from employment discrimination on the basis of their medical conditions.

Many employers greeted the decision with relief, saying it would prevent an uncontrollable expansion of the law, while advocates for the disabled said the court's definition of disability would remove the law's protection from millions of people who need it.

Note: California laws that prohibit discrimination on the basis of disability, such as the Civil Service Act and the Fair Employment and Housing Act, contain some differences from the ADA. The State agencies responsible for administering those laws will provide guidance in the future on their interpretation in light of the Supreme Court decisions. ❖

## Quality Assured!

The focus of the Quality Assurance (QA) program is to assist Departments in developing appropriate solutions to complex and sensitive human resource management problems, and to ensure that personnel management programs are being administered in compliance with relevant laws, rules and merit principles.

The initial efforts of the QA Unit have been focused on addressing several serious matters involving the potential violation of merit based civil service laws, rules and principles.

We have received funding this Fiscal Year for several additional positions. This will enable the Unit to work more closely with departments in providing for onsite reviews of merit based personnel programs.

We will soon be recruiting to fill these new positions and are looking for personnel analysts with extensive knowledge of the State's civil service system and experience with the application and interpretation of civil service laws, rules and policies. If you have such experience and are interested in an important, challenging and varied assignment, please call Martha Esmal at 654-5815. ❖

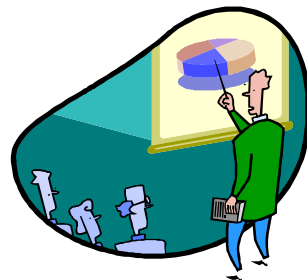
## TV & C Launches....

*New*

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The Test Validation and Construction (TV&C) Unit is pleased to announce a new publication series for selection analysts and assessment professionals. ***Getting Technical with TV&C*** will make its debut this summer. The goal of ***Getting Technical . . .*** is to discuss and explain some of the more technical aspects of assessment and measurement in an understandable and practical manner. The inaugural edition of ***Getting Technical . . .*** will address the use of standardized scores. Please check the TV&C webpage <http://www.spb.ca.gov/tvchome.htm> for the release of this exciting, **FREE** publication. ❖

# TV&C Corner



**TV&C ANNOUNCES WEBSITE...** With the goal of making more products and services available, the Test Validation & Construction Unit (TV&C) now has a website! You may access our new website via SPB's home page or at [www.spb.ca.gov/tvchome.htm](http://www.spb.ca.gov/tvchome.htm). The website contains several selection tools, including a new hiring interview guide entitled *Guidelines for Developing and Conducting Structured Hiring Interviews*. This guide is intended for use by hiring supervisors and managers when conducting hiring interviews. In addition to the on-line interview guide, our summaries of the *Uniform Guidelines on Employee Selection Procedures* and the *Principles for the Validation and Use of Personnel Selection Procedures* are also available through TV&C's website. Coming soon will be an on-line guide for use by hiring supervisors and managers when conducting reference checks prior to making job offers. The reference check guide is anticipated for release later this summer and will be available through the TV&C website.

**PERSONALITY ASSESSMENT...** As TV&C continues its efforts to introduce personality-based assessment into State Service, we are pleased to announce that Dr. Robert Hogan and Dr. Joyce Hogan will be featured speakers at the November 17, 1999 *TestTalk* session. The Hogans will present a half-day training seminar devoted to personality assessment to predict job success. For more information about this exciting program and other *TestTalk* sessions, please refer to our *TestTalk* article in this edition of Shared Solutions or contact Mike Willihnganz.

## **DEPARTMENTS NEEDED FOR PILOT TESTING...**

Development of TV&C's behaviorally-based personality assessment instrument is continuing, and we are seeking interested departments to assist with pilot testing activities. Departments interested in learning more about personality assessment and/or participating in this innovative project are encouraged to contact Mike Willihnganz.

**PROFESSIONAL ORGANIZATIONS...** TV&C would like to remind departments of the wealth of professional organizations available locally for testing/selection analysts and managers. These organizations offer selection professionals the opportunity to explore the latest innovations in personnel assessment, exchange valuable information and ideas with colleagues, and increase technical expertise in the field of personnel assessment/employment testing. Following is a list of professional organizations in which participation may be beneficial for departmental examination staff:

- Personnel Testing Council of Northern California (PTC/NC); contact current President, Shelley Langan in TV&C or [www.ipmaac.org/ptcnc](http://www.ipmaac.org/ptcnc)
- IPMAAC (International Personnel Management Association Assessment Council) – [www.ipmaac.org](http://www.ipmaac.org)
- WRIPAC (Western Region Intergovernmental Personnel Assessment Council); contact current president, Bronda Silva, Cooperative Personnel Services, (916) 263-3600, or [www.ipmaac.org/wripac](http://www.ipmaac.org/wripac)

TV&C staff continue to be available to assist you with a variety of testing and selection topics, so if you have questions, concerns, or issues with which we can assist, please don't hesitate to call upon us:

Mike Willihnganz  
(916) 654-1672

[[mwillihnganz@spb.ca.gov](mailto:mwillihnganz@spb.ca.gov)]

Shelley Langan  
(916) 654-8538

[[slangan@spb.ca.gov](mailto:slangan@spb.ca.gov)]

Michelle Center  
(916) 653-1401

[[mcenter@spb.ca.gov](mailto:mcenter@spb.ca.gov)]

Jessica Valdez  
(916) 653-1143

[[jvaldez@spb.ca.gov](mailto:jvaldez@spb.ca.gov)]

## *Test Talk*

### A Professional Development Program



The Test Validation and Construction (TV&C) Unit is continuing its offering of *TestTalk*, a lunch-hour, drop-in program providing testing professionals with opportunities to expand their testing expertise, share ideas, and network with other testing professionals. For those of you who have not yet had the opportunity to join us for *TestTalk*, please do so soon. If you have had the opportunity to participate in *TestTalk*, we certainly welcome your continuing participation.

The next *TestTalk* session is a *free* half-day training seminar entitled, “Essentials of Pass Point Setting.” This training seminar will be held on Wednesday, September 22<sup>nd</sup> from 8:30 a.m. to noon.

And, in an effort to provide *TestTalk* participants with cutting-edge information and state-of-the-art applications in the field of employment testing, the TV&C Unit has planned an exciting change to the final 1999 *TestTalk* session. The November 17<sup>th</sup> lunch-hour session entitled “Personality

Testing for Selection” has been expanded to a *free* half-day training seminar. This *no-fee* training seminar will be presented by Dr. Robert Hogan and Dr. Joyce Hogan of Hogan Assessment Systems. The Hogans will discuss personality assessment instruments which they have developed and used to predict occupational success. This training seminar will be held from 8:30 a.m. to noon. Don’t miss this exciting opportunity!

All *TestTalk* sessions are held at the State Personnel Board, 801 Capitol Mall, Room 150. No registration is necessary to attend any of the sessions – simply join us! We are looking forward to the remaining 1999 *TestTalk* sessions and are already beginning to plan our 2000 schedule.

For more information on this exciting program, call Mike Willihnganz at 654-1672 or by e-mail at [mwillihnganz@spb.ca.gov](mailto:mwillihnganz@spb.ca.gov). ♦



## Congratulations from TV&C!

Looking back to the January issue of *Shared Solutions*, TV&C would like to thank our TV&C Cross-Wise Assessment players – we hope you found our little game a challenging reminder of some of the key components in the field of selection and employment testing! Congratulations to the following winners of Cross-wise Assessment:

**Dee Denny**, Department of General Services, *winner of one SPB conference registration*

**Kathleen Hodson**, Department of General Services, *winner of an SPB video*

**Aaron Santos**, Office of the Secretary of State, *winner of one SPB training course registration*

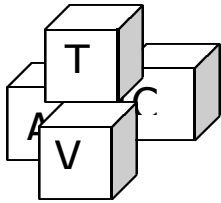
Continuing in our tradition, TV&C has come up with another mind-teasing puzzle for your gaming pleasure. Search through this issue of *Shared Solutions* to find our latest puzzle – and, good luck! ♦

## Whom Should I Contact?

State employees should contact their department's personnel office regarding all personnel matters. Departmental personnel and equal employment opportunity staff may contact SPB staff as follows:

**CALNET Prefixes: 653 = 453 / 654 = 454 / 657 = 437    SPB FAX NUMBER: (916) 653-0927**

Subject	Contact Person	Phone	E-Mail
Service Center	Donna Perez	653-0890	dperez@spb.ca.gov
Data Processing access & Scanning Services	Victor Mendoza	653-6234	vmendoza@spb.ca.gov
Internet Recruitment & Testing	Linda MacCracken	653-0560	lmaccracken@spb.ca.gov
On-Line printer problems	Gary Janney	653-1733	gjanney@spb.ca.gov
Reimbursable Exam Services and access to item bank or exam library	Daisy McKenzie	653-1232	dmckenzie@spb.ca.gov
Registration for On-Line Cert/Exam Training	Katharine Cortenbach	653-1502	kcortenbach@spb.ca.gov
Equal Employment Opportunity, Goals and Timetables, LEAP, ADA/Reasonable Accom.	Ted Edwards Sandra Henzler	653-1276 653-1262	tedwards@spb.ca.gov shenzler@spb.ca.gov
Access to On-Line Cert/Exam & Exam Srvc	Rosemarie Lopez	653-7178	rlopez@spb.ca.gov
Exam Planning, list usage, cert, demotions, separations, probation periods, reemployment, reinstatements, transfers AND Veterans Points	Chris Sullivan	653-1827	csullivan@spb.ca.gov
CEA allocations, pre-employment Drug testing, illegal appointments, Non-hearing Board calendar, contracts, resolutions	Pat Embly	657-2389	pembly@spb.ca.gov
Miscellaneous appointments, Layoff & status issues	Chris Sullivan (Temporarily)	653-1827	csullivan@spb.ca.gov
Policy/Rulemaking/Manuals	Steve Unger	654-7233	sunger@spb.ca.gov
Policy & Selection Manuals Orders & Subscriptions	Mary Wilson	657-2654	mwilson@spb.ca.gov
Psychological Screening	Chris Perri	653-1258	cperri@spb.ca.gov
Test Validation & Construction	Mike Willihnganz	654-1672	mwillihnganz@spb.ca.gov
Technical Training Program	Bill Groome	653-1597	bgroome@spb.ca.gov
To register for Technical Training	Dema Pedretti	653-2085	dpedretti@spb.ca.gov
Civil Service Reform & Demonstration Projects	Carol Ong	653-1397	cong@spb.ca.gov
Quality Assurance	Martha Esmael	654-5815	mesmael@spb.ca.gov
Appeals Information		653-0544	



# Alphabet Soup

TV&C proudly presents our latest challenge for your gaming pleasure! Have you ever wondered just how exciting it would be to try your luck and skill at Wheel of Fortune? Well, here's TV&C's version of that puzzle solving classic. We call our game **Alphabet Soup** and we welcome you to join in the challenge!

Your task is to solve each of the "puzzles" using the letters that are shown and the missing letters to come up with terms and concepts common to the testing/selection field.

Submit your completed puzzles to TV&C to be entered in a drawing to win one of our fabulous prizes, again selected especially for you by the TV&C staff. All winners will be selected randomly from the pool of correct entries.

Entries must be received by **August 6, 1999**.  
Drawing will be held the week of **August 11, 1999**.

Send your completed **Alphabet Soup** entry to:  
California State Personnel Board  
**TEST VALIDATION AND CONSTRUCTION UNIT**  
Alphabet Soup Puzzle  
801 Capitol Mall, ms-37  
Sacramento, CA 95814

**PRIZES:**  
One free registration for a one-day SPB training course  
One free hour of consultative assistance with a TV&C staff member  
One free SPB video

Be sure to complete the following and submit with your entry:

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

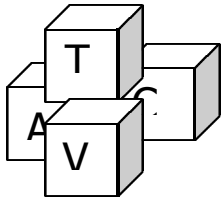
Department: \_\_\_\_\_

Department Address: \_\_\_\_\_

\_\_\_\_\_

**Good Luck and Thank you for Puzzling with Us!**

(Flip page and play TV&C's **Alphabet Soup**!)



# Alphabet Soup

Solve the following puzzles. The letters R S T L N and E have already been inserted for you.

## Puzzle 1

--	--	--

	N		L		S		S
--	---	--	---	--	---	--	---

## Puzzle 2

	S	S	E	S	S		E	N	T
--	---	---	---	---	---	--	---	---	---

## Puzzle 3

			-	R	E	L		T	E		N	E	S	S
--	--	--	---	---	---	---	--	---	---	--	---	---	---	---

## Puzzle 4

		R	R	E	L		T			N
--	--	---	---	---	---	--	---	--	--	---

## Puzzle 5

S	T		N			R	
---	---	--	---	--	--	---	--

S			R	E	S
---	--	--	---	---	---

## Puzzle 6

		N	T	E	N	T
--	--	---	---	---	---	---

		L				T	
--	--	---	--	--	--	---	--

## Puzzle 7

		N	S			E	N	T				S	N	E	S	S
--	--	---	---	--	--	---	---	---	--	--	--	---	---	---	---	---